THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.12730 of 2006

08.3.2007

Between:

M/s.Tirumala Constructions, represented by its Managing Partner, B.V.Subbaraju, S/o.Satyanarayana

... Petitioner

AND

The Principal Secretary, Government of Andhra Pradesh, Panchayat Raj Department, Secretariat, Hyderabad

And others

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.12730 of 2006

ORDER:

The second respondent issued tender notice on e-procurement platform inviting tenders for large number of works including the work of laying road from S.Agraharam to N.N.Patnam in East Godavari District at an estimated cost of Rs.1,08,00,000/-. The petitioner and one G.Rambabu submitted their tenders on e-procurement platform on the last date i.e., on 30.3.2006. The petitioner alleges that without opening those tenders, the second respondent issued another notice in the Newspaper dated 02.6.2006 inviting fresh beds on e-procurement website. Aggrieved by the same, the present writ petition is filed.

This Court ordered notice before admission on 20.6.2006. The second respondent filed counter affidavit on 09.11.2006 duly serving a copy thereof on the learned Counsel for the petitioner. In paragraph 7 of the counter affidavit the second respondent states that Mr.G.Rambabu was disqualified due to non-compliance of technicalities and the petitioner herein was disqualified due to insufficient experience in execution of OGPC as per tender conditions. Therefore, as instructed by the fourth respondent, tenders were recalled on 22.5.2006.

As per the counter affidavit, steps were being taken to recall the tenders and at this point of time, it would not be proper or legal to direct the respondents to process the tenders received pursuant to tender notice dated 20.2.2006.

The writ petition, with the above observations, is accordingly dismissed. No costs.

March 08, 2007 (**V.V.S.RAO,J**)
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